

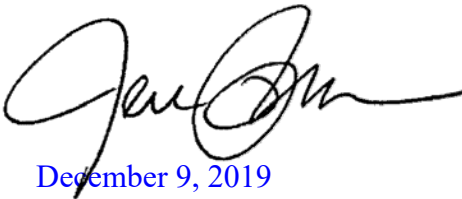
December 6, 2019

VIA ECF

The Honorable Jesse M. Furman
U.S. District Court
Southern District of New York
40 Centre Street, Room 2202
New York, N.Y. 10007

Application GRANTED. The initial pretrial conference scheduled for December 17, 2019, is hereby ADJOURNED *sine die*. **By no later than December 13, 2019**, the parties shall submit a joint letter to the Court proposing a briefing schedule for Defendants' anticipated Motion to Compel Arbitration and to Stay Proceedings.

The Clerk of Court is directed to terminate ECF No. 19.
SO ORDERED.


December 9, 2019

Re: Bright Kids NYC, Inc., et. al. v. Kabbage, Inc. a Delaware corporation, et. al.;
U.S.D.C., Southern District of NY, Civil Action No. 19-cv-09221-JMF

Dear Judge Furman:

This Firm represents Defendants Kabbage, Inc., Robert Frohwein and Kathryn Petralia (collectively, "Defendants") in this action.

Defendants request an adjournment of the December 17, 2019 initial pretrial conference and the December 12, 2019 case management report deadline. This case was filed in October 2019, and service was accomplished through a written waiver of the service of summons. Thus, Defendants' initial response to the Complaint is not due until December 13, 2019, after the report deadline. Defendants will be filing a Motion to Compel Arbitration and to Stay Proceedings under the Federal Arbitration Act. If the Court grants Defendants' Motion, this case will be stayed and the arbitrator will determine the scope of discovery moving forward.

Thus, to preserve the arguments set forth in Defendants' Motion, and to promote efficiency for all parties, Defendants respectfully submit that the report and conference should be continued until after the Court rules on Defendants' Motion.

Plaintiffs consent to this request. This is the first request for adjournment and no previous requests have been granted or denied. There are no additional dates scheduled yet for the parties to appear.

Thank you for your time and consideration.

Respectfully submitted,

DENTONS US LLP

/s/ Justine N. Margolis
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cc: All Counsel of Record (Via ECF)